

**Fire Safety Code Board
Of Appeal and Review
July 10, 2012**

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday July 10, 2012. Present were Chairman Newbrook and Commissioners Pearson, Jasparro, Walker, Jackson and Burlingame. Vice Chairperson Filippi and Commissioners Dias, Sylvester, Blackburn and Richard were absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.

The following cases were heard:

APPEAL #080041: Sacred Heart Church, for the property located at 840 Providence Street, West Warwick. ADSFM Traficante appeared for the West Warwick Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Walker, to grant a variance to allow the Applicant to maintain the exterior landings and stairs with the addition of guards, to be installed at the direction and to the satisfaction of the West Warwick Fire Marshal's Office. The motion was unanimous.

APPEAL #120072: Mr. John Fontes, for the property located at 395

Bullocks Point Avenue in Riverside. Assistant Deputy State Fire Marshals Elmasian and Powers appeared for the East Providence Fire Marshal's Office. Commissioner Walker recused himself from consideration of this case. Commissioner Jackson made a motion, seconded by Commissioner Jasparro, to grant the Applicant a variance, based upon structural hardship, in order to allow him to maintain the cited interior stairway. The Applicant is granted a time variance of thirty (30) days to present a plan of action to the East Providence Fire Marshal's Office for the correction of all other deficiencies within this facility and an additional 150 days to implement that plan. The East Providence Fire Marshal's Office is granted the authority to extend the above timeline for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #120078: Mr. Gregory Walton, for the property located at 825 Waterman Avenue in East Providence. Assistant Deputy State Fire Marshals Elmasian and Powers appeared for the East Providence Fire Marshal's Office. Commissioner Walker recused himself from consideration of this case. Commissioner Jackson made a motion, seconded by Commissioner Jasparro, stating that the request made by the Applicant was not a Fire Board issue and that the fire department would have to grant the requested relief. The motion passed unanimously.

APPEAL #090239: Mr. Gene Arganese, for the property located at 149

Atlantic Avenue in Westerly. DSFM Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the State Fire Marshal's Office for the correction of the outstanding deficiencies within this facility and an additional 150 days to implement that plan. The State Fire Marshal's Office may extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #090272, 090273: Ocean Point Condos, for the property located at 4430 Post Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Burlingame, to grant the Applicant certain time variances in which to correct the deficiencies within these buildings. The motion was unanimous.

APPEAL #090364: Mr. George Truesdale, for the property located at 337 Jefferson Boulevard, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshals' Office. Commissioner Walker made a motion, seconded by Commissioner Pearson, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the Warwick Fire Marshal's Office for the correction of the outstanding deficiencies within this facility and an additional 120 days to implement that plan. The Warwick Fire Marshal's Office may extend the above timelines for good faith efforts being shown by the

Applicant. The motion was unanimous.

APPEAL #120061: Property Manager Jessica Phillips, for the property located at 3030 West Shore Road, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshals' Office. Commissioner Burlingame made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the Warwick Fire Marshal's Office for the correction of the outstanding deficiency within this facility and an additional 150 days to implement that plan. The Warwick Fire Marshal's Office may extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #120070: Mr. Michael Bradley, for the property located at 231 Jefferson Boulevard, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Pearson made a motion, seconded by Commissioners Walker and Burlingame, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the Warwick Fire Marshal's Office for the correction of the outstanding deficiency within this facility and an additional 150 days to implement that plan. The Warwick Fire Marshal's Office may extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #090091: Mr. John J. Boucher, for the property located at

385 Cass Avenue, Woonsocket. Assistant Deputy State Fire Marshals David Degrange and Sean Laffey appeared for the Woonsocket Fire Marshal's Office. Commissioner Jackson made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the Woonsocket Fire Marshal's Office for the correction of the outstanding deficiencies within this facility and an additional 120 days to implement that plan. The Woonsocket Fire Marshal's Office may extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #100072C: Chief of Inspections Jonathan DePault, for the property located at 4808 Tower Hill Road in South Kingstown. Chief of Inspections Scott Caron, Chief Deputy James Gumbley and DSFM Paul Manning appeared for the State Fire Marshal's Office and ADSFM Brian Ballou appeared for the South Kingstown Fire Alarm division. Commissioner Pearson made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of thirty (30) days to present a plan of action to the State Fire Marshal's Office for the correction of the additional items and an additional 120 days to implement that plan. The State Fire Marshal's Office may extend that time for good faith efforts being shown by the Applicant. The motion passed over the objection of Commissioner Burlingame.

Commissioner Jasparro made a motion, seconded by Commissioner Pearson, to approve the request from Chief Deputy James Gumbley

of the State Fire Marshal's Office for a blanket variance to address temporary placement and DCYF licensure – sections 25.2.3.2 and 25.2.3.6. The motion passed over the opposition vote of Commissioner Burlingame.

Respectfully submitted

Carol Marsella